

REMARKS/ARGUMENTS

Claims 1-20 are pending. The Applicant notes with appreciation the allowance of claims 1-6, 8-16, and 18-20. Claims 7 and 17 stand rejected. The Examiner is respectfully requested to reconsider and withdraw the rejection of claims 7 and 17 based upon the remarks below.

CLAIM REJECTIONS – 35 U.S.C. §103

Claims 7 and 17 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Iwamatsu, U.S. patent no. 6,487,261 (“Iwamatsu”), in view of Sotome, et al., U.S. patent no. 5,761,216 (“Sotome”). It is respectfully submitted that neither the Iwamatsu nor Sotome patents disclose or suggest the inventions recited in claims 7 and 17.


Page 3 of the Detailed Action states that the Iwamatsu patent discloses an element relating to determining the *actual distance between said received signals and the reference signals*. Column 12, lines 58-61 of the Iwamatsu patent is cited in support of this element. The Applicant respectfully disagrees with such a characterization of the Iwamatsu patent. It is respectfully submitted that Iwamatsu patent actually teaches finding the difference between an *average* signal point and a received point. The average signal is determined by the complex equation on line 40, column 11 of the Iwamatsu patent, which causes the Iwamatsu system to be computation intensive. As such, it should be clear that the Iwamatsu patent does not disclose or suggest a system for determining the “distance between the received signals and (a) reference constellation as recited in claims 7 and 17. The Sotome, patent, likewise, does not disclose or suggest such an element. Furthermore, the Sotome, patent teaches a stand-alone bit error measurement (BEM) system which includes a bit error pattern generator. The Sotome patent does not teach or suggest a demodulation system or that it can be incorporated into a demodulator as recited in the claims at issue. For all of the above reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 7 and 17.

Appl. No.: 09/240,275
Amdr. dated: January 25, 2005
Reply to Office Action of August 25, 2004
Page 11

Respectfully submitted,

KATTEN MUCHIN ZAVIS ROSENMAN

By:


John S. Paniaguas
Registration No. 31,051
Attorney for Applicant(s)

Katten Muchin Zavis Rosenman
525 W. Monroe Street
Chicago, Illinois 60661-3693
(312) 902-5200
(312) 902-1061
Customer No.: 27160